

# House Bill 2219

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Department of Fish and Wildlife)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Extends sunset on landowner preference tags program. Modifies provisions of landowner preference tags program related to transfer of tags. Creates new landowner preference tags program.

## A BILL FOR AN ACT

1  
2 Relating to landowner preference tags; creating new provisions; and amending section 2, chapter  
3 460, Oregon Laws 1995.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 2, chapter 460, Oregon Laws 1995, as amended by section 1, chapter 227,  
6 Oregon Laws 2001, is amended to read:

7 **Sec. 2.** Notwithstanding any other provision of the wildlife laws, during the period beginning  
8 January 1, 1996, and ending January 2, [2010,] **2026**, the following provisions apply with regard to  
9 the issuance and use of landowner preference tags referred to in ORS 496.146 (4):

10 (1) Landowner preference tags shall be issued for the hunting of deer, elk or antelope.

11 (2) Landowner preference tags may be used only for hunting on the landowner's property.

12 (3) Landowner preference tags for the hunting of deer or elk may be transferred to any person  
13 of the landowner's choosing and shall be used for the taking of antlerless animals except as au-  
14 thorized by subsection [(6)] (7) of this section.

15 (4) Landowner preference tags for the hunting of antelope are not transferable and may not be  
16 used for the taking of buck antelope.] **except as follows:**

17 **(a) A landowner with 5,000 or more acres, or a member of the landowner's immediate**  
18 **family, is eligible for one landowner preference tag for buck antelope; and**

19 **(b) The landowner preference tag for buck antelope specified in paragraph (a) of this**  
20 **subsection may be transferred only to a person who is a member of the landowner's imme-**  
21 **diate family.**

22 **(5) During a controlled hunt for antelope that has a bag limit for buck antelope or a bag**  
23 **limit for animals of either sex, the total number of landowner preference tags for the con-**  
24 **trolled hunt shall be limited to one tag or a number of tags equal to 10 percent of the total**  
25 **number of tags issued for the controlled hunt, whichever is greater.**

26 [(5)] (6) Each landowner preference tag for the hunting of deer or elk may be used to take two  
27 antlerless animals before, during or after the hunting season for which the tags are valid for the  
28 purpose of alleviating damage that is presently occurring to the landowner's property, in accordance  
29 with such rules as the State Fish and Wildlife Commission may adopt.

30 [(6)] (7) Landowner preference tags for the hunting of deer or elk that are transferred to a  
31 person of the landowner's choosing who is not a member of the landowner's immediate family may

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 be used to take an antlered animal only as follows:

2 *[(a) If the landowner receives one preference tag, that tag may not be so used.]*

3 *[(b) If the landowner receives two, three or four preference tags, one of those tags may be so*  
4 *used.]*

5 *[(c) If the landowner receives five, six or seven preference tags, two of those tags may be so*  
6 *used.]*

7 *[(d) If the landowner receives eight, nine or 10 preference tags, three of those tags may be so*  
8 *used.]*

9 **(a) Up to one-half of a landowner's landowner preference tags may be transferred to**  
10 **persons who are not members of the landowner's immediate family. If a landowner is eligible**  
11 **for an odd number of landowner preference tags, the number of tags that may be transferred**  
12 **is rounded up to the next even number.**

13 **(b) A landowner may donate landowner preference tags to a nonprofit charitable organ-**  
14 **ization that is exempt from federal taxation under section 501(c)(3) of the Internal Revenue**  
15 **Code. Any organization that receives a landowner preference tag under this paragraph must**  
16 **sign a statement promising not to use the tags for any purpose related to lobbying or pending**  
17 **litigation.**

18 **SECTION 2. (1) Notwithstanding any other provision of the wildlife laws, during the pe-**  
19 **riod beginning January 1, 2010, and ending January 2, 2016, the following provisions apply**  
20 **with regard to the issuance and use of landowner preference tags referred to in ORS 496.146**  
21 **(4):**

22 **(a) Landowner preference tags shall be issued for the hunting of antlered deer or elk.**

23 **(b) Landowner preference tags may be used only for hunting on the landowner's property.**

24 **(c) Landowner preference tags issued under this section may be transferred to any indi-**  
25 **vidual the landowner chooses.**

26 **(d) The same bag limit that is available to members of the public who are hunting on the**  
27 **landowner's property shall apply to landowner preference tags issued under this section.**

28 **(e) A landowner qualifies for landowner preference tags issued under this section if:**

29 **(A) The landowner provides:**

30 **(i) Public access for hunting that would not otherwise be available;**

31 **(ii) Public access to public land that is surrounded by private land; and**

32 **(iii) Public access that is significant as specified in ORS 496.146 (4); or**

33 **(B) The landowner provides public access that is significant as specified in ORS 496.146**

34 **(4) to:**

35 **(i) Persons who are between 9 and 14 years of age and hunting pursuant to the youth**  
36 **hunter mentoring program specified in ORS 497.360;**

37 **(ii) Persons who are between 12 and 17 years of age and participating in a designated hunt**  
38 **period specified by rule by the State Fish and Wildlife Commission; or**

39 **(iii) A terminally ill child hunting with a free hunting tag pursuant to ORS 496.146 (19).**

40 **(2) The landowner preference tags issued under this section are in addition to the land-**  
41 **owner preference tags issued pursuant to the provisions of section 2, chapter 460, Oregon**  
42 **Laws 1995, as amended by section 1, chapter 227, Oregon Laws 2001, and section 1 of this 2009**  
43 **Act.**

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